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DRUNKENNESS IN MASSACHUSETTS.

guilt, the other the evidence of his innocence. The time will come when no man can come into a Criminal Court and employ counsel—but that time is far off.

"What I am arguing for now is the right of every man to have his case put before the court in a fair manner. Lawyers largely determine the decision of this court, as they do of every court. That is not just, for the rich man can employ attorneys; the poor cannot. So long as the present antiquated method of presenting cases in court remains, justice will be a thing bought and sold.

"I believe in civil cases the state should employ a public counselor. Lawyers now gobble up the larger part of the judgments in those cases. It is the business of private lawyers to thwart justice, prejudice courts and misrepresent facts."

J. W. G.

DRUNKENNESS IN MASSACHUSETTS.—The results of a very careful investigation by the trustees of the Foxborough Massachusetts State Hospital concerning the problem of drunkenness in Massachusetts have recently been published as House Document No. 1390 (70 pages, 1910). The investigation was made under the authority, and at the request, of the Massachusetts Legislature. The trustees, who are well qualified to deal with the subject, were assisted in the inquiry and in the preparation of the report by Dr. James Ford of Harvard University.

The report shows that 60 per cent of all arrests and 65 per cent of all imprisonments in Massachusetts during 1908 were on the charge of drunkenness. The Massachusetts laws enable persons arrested for drunkenness to sign a request for their release without arraignment, and if upon investigation by a probation officer the persons making such a request are found not to have been arrested before within the preceding twelve months on the charge of drunkenness, they are forthwith released by the police without appearing in court. Over 67,000 persons were so released during 1908. This practice is commended in the report, but it is pointed out that in order to make its operations entirely satisfactory there should be a central bureau of records.

The present laws of Massachusetts recognize drunkenness as both a crime and a disease. Chapter 504 of the Acts of 1909 (which, with all other Massachusetts laws relating to drunkenness, is printed in the appendix to the report) provides for the commitment of habitual drunkards to the Foxborough State Hospital by a procedure similar to that used in committing insane persons to state asylums. The report points out that in many cases persons arrested for drunkenness should not be treated as misdemeanants needing correction, but as men who are mentally ill and in need of curative treatment. Means are needed whereby the special needs of individual defendants can be better recognized before the court disposes of their cases. Many of the cases sent to hospitals are unsuited for such an institution, and on the other hand large numbers of those committed to correctional institutions are harmed by imprisonment, but might if sent to a hospital be greatly benefited.

The only modification of existing statutes recommended to be made at once is that imprisonment for the non-payment of fines in cases of drunkenness be abolished, and that defendants be released under suspended sentence or probation with permission to earn the money with which to pay their fines in instalments. The report presents a well-coördinated program for dealing with the problem of drunkenness and recommends various improvements and extensions based on the existing laws and practices. Emphasis is placed on the great

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importance of discriminating between accidental, occasional and habitual drunkards. The principal recommendations as to methods of dealing with drunkards may be summarized as follows: release the accidental drunkard with an admonition; place the occasional drunkard on probation; in case of a subsequent arrest of an occasional drunkard, consider the advisability of imposing a fine, to be paid if necessary in instalments; when release, probation and fine prove inadequate, try institutional treatment, sending the curable cases to a hospital, the worthy but chronic cases to a detention colony, and the vicious or criminal cases to the state farm.

The report reviews the statutes and conditions relative to drunkenness and inebriety in foreign countries and in other states, and contains a brief bibliography.

A. W. T.

NATIONAL COMMITTEE ON PRISON LABOR.—The National Committee on Prison Labor, recently incorporated under the laws of New York State, is organized to study and promote interest in the problem of prison labor; to develop satisfactory methods of carrying on industries in prisons and of finding markets for the products without antagonizing the interests of free labor or of employers; and to secure needed legislation on this subject. While the problem of prison labor is very old, this organization represents the first substantial endeavor to bring together prison officials, labor union leaders, employers, and other interested parties, for the purpose of dealing with the problem broadly and systematically.

The committee has resulted more or less directly from inquiries prompted by the National Federation of Women's Clubs, and carried on since last summer by the New York State Labor Department concerning the sale of convict-made goods. New York State prohibits the sale within the state of the products of its own prisons, but there is no law preventing the sale within the state of goods made in the prisons of other states. The output of the prisons in a large number of states is controlled by a pool of contractors. One firm, for instance, holds contracts with twelve prisons in eight states. The committee hopes, among other things, to secure the passage of laws which will properly regulate inter-state commerce in prison-made goods. Representatives of the committee have supported the Gardner bill (United States House of Representatives No. 1200) which provides that each state may pass laws, either forbidding or regulating the sale within its borders of goods made in prisons in other states.

A. W. T.

NEW RESTRICTIONS ON THE PRACTICE OF LAW IN NEW YORK.—The Legislature of New York at its recent session enacted a law providing that none but attorneys shall practice law in cities of the first and second classes in that state.

Provision is made that a person shall not ask or receive directly or indirectly compensation for appearing as attorney in a court or before any magistrate in any city of the first or second class, or make it a business to practice as attorney in a court or before a magistrate in such a city, unless he has been regularly admitted to practice, as an attorney or counselor, in the courts of record of the state.

It is provided, however, that nothing in this proposed act shall be held to apply to officers of societies for the prevention of cruelty, duly appointed, when exercising the special powers conferred upon such corporation under article six of the membership corporation law.

The new law is to take effect September 1.

J. W. G.